Confirmed Moon Sightings

Question: What are the procedures for confirming the sighting of the moon?

Answer: **(1) Physical** sighting by a large group of people. This will prove beyond doubt the arrival of Ramadhaan and the two Eids. There is no need for formal testimony after this.[1]

(2) Testimony. If the **sky is overcast** or filled with dust or smoke and it is not possible to see the moon clearly, then **it would be established by the evidence of a righteous man or woman who abide by the Shari'ah.**[2]

There is no need for a formal testimony to prove the sighting of the moon for Eid. This means that it is not necessary for two men or two men and one woman to testify. The witness who needs to appear has to be one who follows the Shari'ah and he needs to testify before a Qaadhi or a Mufti. The sighting of the moon may then be announced if the Qaadhi or Mufti accepts the testimony.[3]

(3) Testimony of testimony: When the original witness of the new moon are unavailable to testify in person before the Qaadhi or judicial committee, he may appoint two righteous men to testify on his behalf before Qaadhi, Mufti or a committee that people approve of. They need to testify that so-and-so person testified before us that he had seen the moon and had appointed us to testify before you. Such a testimony may be used to establish the sighting of the moon for Eid and Ramadhaan.

When there are two witnesses, it is not necessary for each one to appoint separate representatives since they may both use the same two persons. It is however best if they each appoint two representatives, making a total of four representatives. [4]

(4) Testimony of the Qaadhi's judgement. When two religious Muslims attend from beginning to end the hearing of a Qaadhi in which witnesses testify to seeing the moon. They then present themselves before another Qaadhi or Mufti and testify that they had been present at the hearing of a particular Qaadhi or Mufti where witnesses testified to seeing the moon and, after listening to them, the Qaadhi or Mufti gave the verdict that the moon really had been sighted.[5]

(5) One Qaadhi or Mufti's letter to another. When witnesses testify before a Qaadhi or Mufti and he passes the verdict that the moon had indeed been sighted, he may write to another Qaadhi or Mufti in the presence of two religious men. The letter will state the fact that he had heard the testimony of the witnesses and passed his verdict accordingly. He will then sign the letter or place his seal on it. He then reads the letter to the two men and closes it before handing it over to them. They will then take the letter to another Qaadhi or Mufti and testify before him that the other Qaadhi or Mufti had written the letter in his presence and had commissioned them to deliver it to him. The second Qaadhi or Mufti may then announce the sighting of the moon upon accepting the letter. Note well that this type of evidence

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[1] *Durrul Mukhtaar* (Vol.2 Pg.126).
[2] *Durrul Mukhtaar* (Vol.2 Pg.123), *Maa Laa Budda Minhu* (Pg.93) and *Nurul Idhaa* (Pg.149).
[3] *Durrul Mukhtaar* (Vol.2 Pg.124), *Maa Laa Budda Minhu* (Pg.93) and *Nurul Idhaa* (Pg.149).
[4] *Shaami* (Vol.4 Pg.544/5)
[5] *Durrul Mukhtaar* (Vol.2 Pg.128).

will be acceptable only when the two witnesses testify that the Qaadhi or Mufti had written the letter in their presence, read it to them and handed it over to them. If they deliver it like a normal letter without the testimony, it will be like any other letter and therefore not have the status of proper evidence in the eyes of the Shari'ah.

(6) *Mustafeedh* news: Allaama Shaami رحمه الله explains that *Mustafeedh* news refers to a large number of people arriving from a town where the moon had been sighted, who then convey the message to the people of the town where the moon has not been sighted. It the news merely spreads, it will not be regarded as *Mustafeedh* news. According to the research of Allaama Rahmati رحمه الله, the meaning of *Mustafeedh* information is that several groups of people present themselves to testify that the people of their area had seen the moon and are fasting. It will not suffice to merely hear the news, even if it is widespread, **without knowing exactly whom the news is coming from.**[6]

While the *Mustafeedh* news will be taken in account, it is necessary that people with insight and who know the psychology of people should be content that the news is true.

RADIO: When the Qaadhi, Mufti or Ulema committee that the Muslims appoint to verify the moon sightings pass judgement (after hearing witnesses) that the moon has indeed been sighted, it will be in order for them to make such an announcement over the radio. The Ulema of other areas may then accept the announcement and act accordingly. It will not suffice for only the general public to accept the announcement.[7]

Hadhrat Moulana Ashraf Ali Thanwi رحمه الله said, "Nowadays, every person is a translator and commentator of the Qur'aan and they all offer their opinions of the Shari'ah, as if understanding all the sciences associated with the Shari'ah is a simple affair. This is however, the laws ordained by Allaah. When it is only lawyers, barristers and high court judges who properly understand the laws made by people, why would it then be so easy to properly understand the laws of Allaah?"[8]

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[6] *Shaami* (Vol.2 Pg.129).
[7] *Ru'yate Hilaale Ramadhaan wa Eid ke Masaa'il wa Dalaa'il* Pg.96.
[8] *Wa'z Albaab* Pg.18.